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REMARKS

This is intended as a full and complete response to the Restriction Requirement mailed September 13, 2006, having a shortened statutory period for response set to expire on October 13, 2006.

Claims 1-44 are pending in the application of which claims 1-44 are subject to restriction and/or election requirement.

The Examiner finds that the application includes the following patentably distinct inventions and requires restriction to one of the inventions under 35 U.S.C. §121.

- I. Claims 1 and 36 through 40, drawn to a method and a system for selective outputting based on a list.
- II. Claims 2 through 6, drawn to a method for selective outputting based on a manipulation.
- III. Claims 7 through 23, drawn to a system and apparatuses for non-selective outputting of manipulated audio.
- IV. Claims 24 through 35 and 41 through 44, drawn to a selective recording based on a list.

By this response, Applicant has added claims 45 and 46. No new matter has been added.

Applicant provisionally elects claims 2-6 (and newly added claim 45) of Group II with traverse. Applicant provisionally withdraws the claims associated with Group I and Group IV.

Applicant respectfully requests reconsideration of the restriction requirement, and requests that the restriction requirement be withdrawn for at least Group III for at least the reason that the limitations associated with the claimed method of Group II are extremely similar to the limitations associated with the claimed system of Group III. Applicant notes that newly added claim 45 is properly included with Group II while newly added claim 46 is properly included with Group III.

Thus, the search and examination of the entire application can still be made "without serious burden to the Examiner." (See MPEP § 803).

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To the extent this restriction requirement is maintained by the Examiner, Applicant reserves the right to subsequently file a divisional application in order to prosecute the invention recited in the non-elected group of claims.

As such, and because of the above traversal, Applicant respectfully submits that the Right of Petition under 37 CFR §1.144 has been preserved.

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CONCLUSION

Applicant believes that all claims presently pending in this application are in condition for allowance. If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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E J Wall

Eamon J. Wall, Attorney
Reg. No. 39,414
(732) 530-9404

Patterson & Sheridan, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702